

June 16, 2015

Chairman Paul Schmid
Joint Committee on
Environment, Natural
Resources & Agriculture
State House, Room 473F
Boston, MA 02133

Chairwoman Anne Gobi
Joint Committee on
Environment, Natural
Resources & Agriculture
State House, Room 513
Boston, MA 02133

MASSACHUSETTS
MARINE TRADES
ASSOCIATION



RE: HB 678, An Act protecting the Commonwealth's lakes and ponds - Oppose

Dear Chairwoman Gobi and Chairman Schmid and Committee Members:

On behalf of the members of the Massachusetts Marine Trades Association (“MMA”), I write to express concern with House Bill 678. The MMA membership is very troubled by the introduction and spread of aquatic invasive species and very much supports efforts to mitigate their spread, including the education of all waterway users in practices designed to reduce the transport of invasive species and the installation of boat wash stations at public access locations. However, these objectives must be met by identifying the source of the problem rather than singling out registered boaters and re-appropriating funds intended to maintain all water bodies, not just fresh water lakes and ponds. This proposed funding source is particularly inappropriate where the majority of registered boats in the Commonwealth do not use the lakes and ponds in question, and are not the source of the problem.

HB 678 would divert five dollars (\$5) from every motorboat registration fee collected in the Commonwealth to the Invasive Aquatic Plant Management Fund, thereby reducing the amount of funds available to maintain public access to ALL waterways, both inland and coastal, fresh and salt water. Additionally, this funding mechanism would singularly implicate state registered recreational boaters as the antagonists of the invasive plant problem. Owners of more transient, smaller watercraft such as kayaks and canoes—not statutorily subject to state registration—are not implicated. Similarly, other suspect transporters of aquatic invasive species; aquaculturists, seafood and bait sellers, commercial vessels, the aquarium trades, nurseries and water garden suppliers, and other wetland vegetation growers are also absent from this discussion about managing the spread of invasive species.

Given that aquatic invasive species are perpetuated by the “hitchhiking” of non-indigenous organisms from one fresh water body to another, it is questionable whether HB 678 is the proper mechanism to air in resolving to this issue. The

typical Massachusetts registered recreational boat owner pays for a seasonal slip or mooring and that boat is most often used on the same water body throughout the season. Conversely, kayak and canoe enthusiasts access a variety of water bodies given the ease with which they can transfer their “car-top” watercraft. State registered boats are generally larger (over 14-feet and/or mechanically propelled), less likely to move from water body to water body and therefore less likely to transport invasive species, yet these boaters are singled out by HB 678 as the sole perpetrators of the invasive plant problem and the sole class from which remediation funding would be derived.

HB 678 also proposes that ten dollars (\$10) be charged for every out of state boat that visits Massachusetts waters. While the language of HB 678 specifies that the fee shall be collected by environmental law officials or their designees, it does not offer any method of tracking out of state boats. As you know, the Massachusetts Environmental Police are already stretched thin with funding and staffing shortfalls. HB 678 would unnecessarily add to their responsibilities and budget pressures without providing a framework for enforcement or the additional funding necessary for such enforcement.

The fees proposed to protect fresh water bodies are an imposition on the general class of registered boaters the majority of whom moor on the Commonwealth’s salt water bodies. We do not believe that single classes of public taxpayers (in this case state registered and out of state boaters) should be asked to solely and exclusively bear the burden of funding the eradication of invasive species particularly when doing so will divert already insufficient, precious funds intended to preserve, protect and maintain public access to all of the Commonwealth waterways. The spread of invasive species is a much broader problem than can and should be solved by the funds of boater registration fees.

The recreational marine industry contributes positively and significantly to the economic strength and quality of life enjoyed in Massachusetts. The ‘business of boating’ provides jobs, economic opportunity, public access to our precious waterways, improves aesthetics of inland and coastal waters and supports environmental stewardship while promoting a family-friendly form of recreation and tourism. With 186,000 state and federally registered vessels and 1 million anglers in the Commonwealth and over 5 million residents living within 10 miles of the ocean, any negative impact on the stability of the marine trades (economic, regulatory or others) has the potential to negatively affect millions of citizens and visitors.

The Association and its 300 member firms also seek to stem the exodus of recreational boating businesses from the Commonwealth and the loss of waters-

edge usage for recreational boating purposes. The Association acts as a source of information about recreational boating and boating businesses for the general public, via its website at www.BoatMA.com; for the Massachusetts Legislature, where the Association is a frequent participant in public hearings and in the 50-member Legislative Boating Caucus; and for executive branch agencies, the MA Federal delegation and authorities with regulatory and economic development responsibilities.

On behalf of the entire membership of the Massachusetts Marine Trades Association, thank you for your service and your consideration of our **opposition to this bill**. Please do not hesitate to call on us should the committee wish to request additional information on this bill or on the business of boating in Massachusetts. MMTA is always available to discuss this and any other legislation. Please contact Jamy Buchanan Madeja, Esq., MMTA's Legal and Government Relations Counsel.

Respectfully Submitted,

Toby Burr, President, Massachusetts Marine Trades Association

cc: Representative Sean Garballey
Representative Carolyn C. Dykema
Representative Susan Gifford, Co-Chairwoman, Legislative Boating Caucus
Representative William Straus, Co-Chairman, Legislative Boating Caucus
Senator Anthony W. Petrucci, Co-Chairman, Legislative Boating Caucus
Senator Robert Hedlund, Co-Chairman, Legislative Boating Caucus